THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23499 OF 2005

Dt.2.11.2005

Between:

K.Saraswathamma

… Petitioner

And

The District Collector, Chittoor District at

Chittoor and 4 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleaders for Revenue and Animal Husbandry.

The petitioner seeks to issue a writ of mandamus declaring the action of the respondents in erecting permanent structures for conducting animal exhibition in the petitioner's land in Sy.Nos.254, 255 and 256 of Tiruchanur, Tirupati Rural Mandal, Chittoor District, as illegal and arbitrary and consequently direct the respondents to conduct the exhibition in Urban Hot in Sy.No.234 of Tirupati Rural Mandal.

It is stated that the Inam Deputy Tahsildar, Chittoor, issued proceedings in S.R.No. 40/96 IDT No.100/90 dated 30.1.1996 granting ryotwari pattas in Form VIII jointly in the name of the petitioner, K.Sasyavathi and K.Nagarani. The said proceeding did

not disclose that any ryotwari patta has been granted in respect of Sy.Nos.254 and 255. Ryotari patta is said to have been granted in Sy.Nos.256/2 and 256/3 only. Even other wise, there is no material that goes to show that the respondents are going to erect permanent structures in the patta lands of the petitioner. There is no representation demanding or requesting the respondents for not making any constructions in the patta lands. In the absence of any demand or request, no writ of mandamus can be issued to the petitioner.

The writ petition is accordingly dismissed. No costs.

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V.ESWARAIAH, J.

2.11.2005

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